

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F042223 In re A. S., a Minor.

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F042223 In re A. S., a Minor.

The order dated January 21, 2003, terminating parental rights is reversed. On remand, the juvenile court first is to insure that proper notice has been given under the ICWA. The juvenile court then is to determine whether any tribe has concluded that A. S. is eligible for membership in the tribe. Provided proper notice has been given as detailed herein, and no tribe has concluded A. S. is eligible for membership, the juvenile court shall reinstate its order as to Anthony. Alternatively, the juvenile court shall proceed according to the dictates of the ICWA.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039425 Areias et al v. Bank of America National Trust and Savings Association

Appellant's petition for rehearing and request for publication filed herein are denied.

F039671 Moosios Farms, Inc. v. Western Goldfish Growers, Inc. et al.

F039793 Moosios Farms, Inc. v. Western Goldfish Growers, Inc. et al.

Appellant's petition for rehearing filed herein is denied.

F042336 In re Joseph W., a Minor.

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE

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F042336 In re Joseph W., a Minor

The order dated January 21, 2003, terminating parental rights is reversed as to Clifton. Judicial notice of exhibits A and C to the Department's "Motion to Augment the Record" filed on April 4, 2003, is denied. On remand, the juvenile court first is to insure that proper notice has been given under the ICWA. The juvenile court then is to determine whether any tribe has concluded that Joseph is eligible for membership in the tribe. Provided proper notice has been given as detailed herein, and no tribe has concluded Joseph is eligible for membership, the juvenile court shall reinstate its order as to Clifton. Alternatively, the juvenile court shall proceed according to the dictates of the ICWA.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040996 People v. Jones

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F040996 People v. Jones

The finding that appellant violated the terms of his probation by committing a battery upon Tarion Holliday is reversed. The matter is remanded for re-sentencing on the probation violation for drug use.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040750 People v. Ayala

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE
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- F040750 People v. Ayala**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F040724 People v. Vang**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F040724 People v. Vang**
The judgment is affirmed with modifications.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F040660 People v. Wilson**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F040660 People v. Wilson**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]